



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 12/21/04

AGENDA ITEM 2

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Adoption of an Ordinance Amending Sections 10-1.3510, 10-1.1015, 10-1.1020, 10-1.1045, 10-1.815, 10-1.820, 10-1.915, 10-1.920, 10-1.1315, 10-1.1320, 10-1.1522, 10-1.1523 and 10-2.411 of Article 1 of Chapter 10 of the Hayward Municipal Code Relative to Definition, Conditionally Permitted Use, and Minimum Design and Performance Standards for Theaters and to the Off-Street Parking Regulations for Theaters

RECOMMENDATION:

It is recommended that the City Council adopt the attached Ordinance.

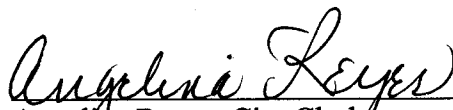
BACKGROUND:

The ordinance was introduced at the December 14, 2004, meeting of the City Council with the following vote:

AYES:	Council Members:	Jimenez, Quirk, Halliday, Ward, Dowling, Henson
	Mayor:	Cooper
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

The ordinance was published in the Hayward Daily Review on December 18, 2004. Adoption at this time is therefore appropriate.

Prepared by:


Angelina Reyes, City Clerk

Approved by:


Jesus Armas, City Manager

Draft Ordinance

**PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY
COUNCIL OF THE CITY OF HAYWARD**

**AN ORDINANCE AMENDING SECTION 10-1.3510, 10-1.1015,
10-1.1020, 10-1.1045, 10-1.815, 10-1.820, 10-1.915, 10-1.920, 10-
1.1315, 10-1.1320, 10-1.1522, 10-1.1523 AND 10-2.411 OF
ARTICLE 1 OF CHAPTER 10 OF THE HAYWARD
MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Section 10-1.3510 of the Hayward Municipal Code is hereby amended to add the following definition:

THEATER.

Section 15. Severance. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 16. Effective Date. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from its adoption.

Introduced at a meeting of the Hayward City Council held December 7, 2004, the above-entitled ordinance was introduced by Council Member Jimenez.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on December 21, at 8:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

DATED: December 15, 2004

Angelina Reyes, City Clerk
City of Hayward